

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CORA N. WOMACK,)	
)	
Plaintiff,)	
)	Case No. 4:05-CV-00055
v.)	
)	ORDER
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

On October 21, 2005, this Court entered an *Order* [6] referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. The Magistrate Judge filed his *Report and Recommendation* [14] on April 20, 2006. The Commissioner filed *Objections* to the Magistrate Judge's *Report* on May 9, 2006. In sum, the Commissioner objected that substantial evidence in this case does support the Administrative Law Judge's decision that the Plaintiff's exertional capacity for a full range of indoor sedentary work supports a finding that she is not disabled. This Court will not consider the *Objections* because they were not filed within the time prescribed by 28 U.S.C. §636. After reviewing the record, this Court adopts the Magistrate Judge's *Report and Recommendation* in its entirety.

Accordingly, it is this day **adjudged** and **ordered** as follows:

1. The *Report and Recommendation* of the United States Magistrate Judge, filed April 20, 2006, shall be, and hereby is, **ADOPTED** in its entirety.
2. For the reasons stated in Magistrate Judge Crigler's *Report*, the

Commissioner's final decision is **REVERSED**, the Plaintiff's *Motion for Summary Judgment* is **GRANTED**, judgment for the Plaintiff is **ENTERED**, the case is **RECOMMITTED** to the Commission solely to calculate and pay proper benefits, and this action is **DISMISSED** from the docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this *Order* to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 12th day of May, 2006.

s/Jackson L. Kiser
Senior United States District Judge